

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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TIMOTHY FLETCHER,

Petitioner,

-v.-

Civil Action No.  
9:05-cv-1383 (GLS/DRH)

HAROLD GRAHAM, Superintendent,

Respondent.

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APPEARANCES:

OF COUNSEL:

**FOR THE PETITIONER:**

TIMOTHY FLETCHER  
Petitioner Pro Se  
2253 Third Avenue  
No. 1502  
New York, New York 10035

**FOR THE RESPONDENT:**

HON. ANDREW M. CUOMO  
Attorney General for the State  
of New York  
Attorney for Respondent  
120 Broadway  
New York, New York 10271

CHELSEA H. CHAFFEE, ESQ.

GARY L. SHARPE,  
U.S. DISTRICT JUDGE

**ORDER**

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge David E. Homer, duly filed June 27, 2007. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

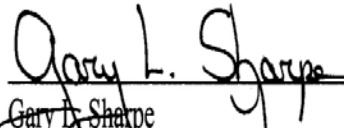
ORDERED, that the Report-Recommendation of Magistrate Judge David R. Homer filed June 27, 2007 is ACCEPTED in its entirety for the reasons state therein, and it is further

ORDERED, that the petition for writ of habeas corpus is DENIED, and it is further

ORDERED, that the Clerk of the Court is to enter judgment in favor of the Respondent and close this case.

IT IS SO ORDERED

Dated: July 31, 2007  
Albany, New York

  
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Gary L. Sharpe  
U.S. District Judge